

**OFFICE FOR DEMOCRATIC INSTITUTIONS AND
HUMAN RIGHTS**

**SEMI-ANNUAL REPORT
SPRING 1998**



OSCE/ODIHR

Warsaw/Poland

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INTRODUCTION

The previous semi-annual publication reported on the restructuring of the ODIHR during the second half of 1997. Restructuring is an ongoing process, and with the help of contributions from participating States, the ODIHR has continued to adapt in order to manage the increasing demands. Proposals for further adaptations in the Office have recently been presented to the OSCE Permanent Council for decision. Thanks to the generosity of the Polish Government, the ODIHR has moved to more spacious and beautiful premises. With our accommodation problems resolved, we can now focus with even greater energy on the implementation of our action plan.

During the first half of 1998, the election section had a heavy schedule with, in particular, important elections taking place in Armenia, Ukraine, Moldavia and Montenegro/Federal Republic of Yugoslavia. The ODIHR democratisation section focused especially on developing new programmes in the Caucasus and Central Asia based on the results of needs assessment trips conducted in these regions throughout the spring.

Concerning the implementation of OSCE commitments in the human dimension, the ODIHR has also been closely involved in the discussions carried out in the framework of the Permanent Council in order to revitalise the implementation review process. It is expected that as a consequence of new modalities to be adopted by the OSCE participating States, a ten days meeting could be held in Warsaw later this year.

These are just a few of the issues deserving special attention. The ODIHR has also been involved in a number of other activities to promote the human dimension throughout the OSCE area. The challenges will not diminish in the future and we will have to work hard to achieve what has been promised to assist participating States in the field of democratisation. Needs for assistance still exist to a high degree in many parts of the OSCE region, and we wish to continue to be active in those fields where we possess solid expertise.

In order to proceed with our work, we will continue to rely on the support, generosity and co-operation of Governments, NGOs, international organisations and other institutions of the OSCE family. We thank you warmly for all the support you have already provided to us.

ODIHR PRIORITIES IN 1998

CO-OPERATION WITH OTHER ORGANISATIONS

One of the main priorities of the ODIHR in 1998 is to develop and maintain close co-operation with other international organisations and institutions active in similar fields. We are accountable towards the international community to ensure an efficient use of resources and avoid unnecessary duplication.

Council of Europe

The ODIHR policy is to work in close contact with the Council of Europe on activities of common interest, whenever possible. The starting point for mutually reinforcing operations is to co-ordinate and conduct needs assessment missions together, followed by consultations between the two organisations during the process of developing the concrete projects. After the project designs have been finalised and the responsibilities are divided appropriately, the projects should be implemented in close co-operation.

The ODIHR is working with the Council of Europe also in the field of elections, especially in connection with election observation. In this context, close links have been developed in particular with the Council of Europe Parliamentary Assembly. Institutionally, this enhanced co-operation between the ODIHR and the Council of Europe translates into frequent contacts at all levels. In addition, meetings at senior level twice a year allow for a comprehensive review of the programmes of both institutions.

UN Agencies

The ODIHR has developed its links with several UN Agencies in 1998. For example, we continue to work with the UNHCR (and the IOM) in the follow-up to the CIS Migration Conference. Our co-operation has expanded in the first half of this year, as a result of the participation of the UNHCR in a joint needs assessment mission in the Caucasus in March. The increasingly close co-operation between the ODIHR and the UNHCR has been formalised through an exchange of letters between UN High Commissioner Ogata and ODIHR Director Stoudmann describing areas of co-operation.

A fruitful co-operation has also developed with the UNDP in a number of areas. In particular, the UNDP contributed greatly to the 1998 Human Dimension Seminar on Ombudsman and National Human Rights Protection Institutions, which was organised also in co-operation with the Polish Ombudsman office and the Council of Europe.

The ODIHR has also been in contact with the UN High Commissioner on Human Rights in order to consider ways to intensify interaction between the two institutions. Similar to the co-operation with the UNHCR, the co-operation with the UNHCHR has also been formalised in an exchange of letters between UN High Commissioner Robinson and ODIHR Director Stoudmann.

EU Commission

A more intensive co-operation was developed between Warsaw and Brussels in the first half of the year. A representative of the EU Commission joined the above-mentioned needs assessment mission to the Caucasus, and the ODIHR has started to consult regularly with the European Union Commission on a number of specific issues. It is our desire to further develop this initial co-operation in the near future.

CENTRAL ASIA

The ODIHR has been able to focus increasingly more on developing and implementing projects in Central Asia thanks to voluntary contributions from the Governments of Denmark, Norway and the United Kingdom. These contributions finance a majority of the projects included into a Memorandum of Understanding between the ODIHR and the Government of Uzbekistan, signed in October 1997, and is an important factor to enable the ODIHR to develop projects also in other countries of Central Asia.

1. Status of implementation of the MoU with Uzbekistan

Attached to the Memorandum of Understanding (MoU) with Uzbekistan were a number of project descriptions designed to promote democracy and strengthen civil society in Uzbekistan. A majority of these projects is currently being implemented in co-operation with the National Human Rights Centre of Uzbekistan and the OSCE Liaison Office in Central Asia.

Constitutional Court Training Programme

The project objectives of this multi-phased program are twofold. Firstly, it is designed to enhance co-operation between the Constitutional Court, the legislative and executive branches, including the Ministry of Justice, and the Supreme Court. Secondly, it provides assistance to the Constitutional Court in identifying reforms needed to strengthen the independence of the judiciary and develop a framework for judicial review.

Professor Lesage of the University of Paris serves as the ODIHR expert in this project, providing on-site technical assistance to the Constitutional Court of Uzbekistan. In January 1998, Judges from the Constitutional Court of Uzbekistan, as well as the Chairman of the Constitutional Court

of Kyrgyzstan, participated in a training programme at the Constitutional Court of France. The training programme focused on judicial institutions, and the experience of the Constitutional Court of France in working with other French government agencies. During this visit to the Constitutional Court of France, future co-operation between the two Constitutional Courts was established.

Human Rights Education Programme

In May 1997, the ODIHR held a first human rights education course in Uzbekistan. The course was attended by approximately 30 participants, including local government officials, university teachers and representatives of NGOs. In February and March 1998, the ODIHR conducted needs assessment missions with the view to extend this programme to the other four states of Central Asia, namely Kazakhstan, Kyrgyzstan, Tajikistan and Turkmenistan.

In May 1998, a second human rights education course was conducted in Tashkent by Professor McBride of the University of Birmingham and Ms. Kristina Miskowiak of the Danish Center for Human Rights. The second course was attended by 26 participants, representing Government structures, NGOs, research institutions and universities from all five countries in Central Asia. The topics discussed included philosophical foundations of human rights; human rights in the international order; human rights, democracy and rule of law; international obligations and domestic practices; international enforcement mechanisms; and the human dimension of the OSCE. The final report is presently under preparation.

The Tashkent course was concluded with an evaluation, which assessed the comprehension by the participants of the topics discussed. Based on these results, 15 participants will be selected to attend an advanced course in Denmark in November this year. The course will be hosted by the Danish Center for Human Rights with the assistance of Professor McBride, and the participants will have an opportunity to study the structure, management and professional work of a few human rights institutions in another part of the OSCE region.

Border Guards and Customs Officials Training Programme

In May 1998, an ODIHR delegation of experts including the Head of the Polish Border Control and Migration Department, the Head of the Border Guards Training Center in Ketrzyn, Poland and representatives of the Polish Customs Department instigated a training programme in Tashkent for officials of corresponding Government agencies in Uzbekistan.

The programme focused on the specific needs and capacities of Uzbekistan in establishing effective border control and the trainers from Poland gave concrete examples on their own experiences during the recent process of reform in Poland. The participants discussed ways to develop a long-term strategy to improve border control and customs operations in Uzbekistan,

and it was agreed that the ODIHR should consider providing more extensive training to meet this aim.

Government - NGO Communication

A strong civil society is conducive to making democratic forms of government work, and it is especially in the interface between the Government and the non-governmental sectors that the ODIHR directs its assistance to the development of civil society. Within the framework of the MoU with Uzbekistan, the ODIHR is implementing a civil society assistance programme aiming at creating mechanisms for enhanced communication between the governmental and non-governmental sectors to increase the input from civil society into national human rights policy. The initiative has been described as an entirely new concept and has been welcomed by both sides as very positive, partly because it raises awareness on common challenges.

The format of the programme is a series of informal consultations, each focusing on a specific issue of concern to the current human rights situation. To date, six Government-NGO consultations have been conducted in Uzbekistan. The consultations provided an opportunity for representatives of government bodies and local human rights experts to discuss implication of relevant government policies in selected fields. One of the consultations focused on the draft Law on Media, with participation of local journalists, media experts and representatives of NGOs. During the meeting, participants expressed their comments and concerns regarding the draft law and presented concrete proposals for amendments to the law. These recommendations were shortly after presented to the parliament session adopting the law. This procedure constitutes an example of an open dialogue on a targeted issue between the representatives of public and non-governmental sectors resulting in a practical follow-up.

Three out of six Government-NGO meetings were held in cities and regions outside of Tashkent, in Chirchik, Gulistan and Djizak, thus involving a broader representation from civil society in Uzbekistan. In October 1998, one year after signing the MOU with Uzbekistan, the civil society assistance program will be thoroughly evaluated in order to assess the impact of this initiative and to propose the next steps.

Regional Consultation on Women in Public Life

In late June 1998, the ODIHR organised a regional consultation on 'Women in Public Life' together with the UNDP Regional Bureau for Europe and the CIS with over 60 participants from Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan. The three-day consultation focused on the legal framework and practical implementation of legislation, on challenges to gender equality in Central Asia, on lobbying and monitoring to enhance the status of women and on networking and sharing experience. The regional consultation will be extensively reported on in the next ODIHR semi-annual report.

2. Election Assistance to Central Asia

The ODIHR election assistance programme in Central Asia should be regarded as an important part of the MoU with Uzbekistan, but should also be seen in the broader regional context of providing assistance to all five countries of Central Asia. During the spring of 1998, the following activities took place:

Election Assistance Strategy Meeting

A first strategy meeting on election assistance to the countries of Central Asia took place in Warsaw in February, assembling several international organisations active in the election field in Central Asia. The purpose of the strategy meeting was to share information and explore the possibility of creating a co-ordination framework that would avoid duplicating efforts and increase the effectiveness of electoral assistance projects provided by international organisations in the region.

Representatives from the OSCE Liaison Office in Central Asia, the OSCE Mission to Tajikistan, the OSCE Parliamentary Assembly, the UN Election Assistance Division, the UNDP (Poland, Kyrgyzstan and Regional Bureau for Europe and CIS), the USAID, the European Union Commission, the International Foundation for Election Systems, the International Institute for Democracy and Electoral Assistance, the International Republican Institute the Electoral Reform International Services, Election Canada and the Upsala Election Commission all participated in the ODIHR initiated meeting. The participants agreed on modalities to closely co-ordinate their future work with regards to elections in this region.

Electoral Process Workshop

In March, an electoral process workshop for sixteen top-level election administrators from Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan took place in Stockholm. The workshop entitled “Key Aspects of the Electoral Process” lasted three days and was jointly organised by the OSCE/ODIHR and the International Institute for Democracy and Electoral Assistance. The workshop was the first of its kind at which election officials from Central Asia were able to discuss common approaches to the many challenges facing electoral reforms in these newly independent States.

Among the participants were the chairpersons of the Central Election Commissions of the five Central Asian countries, all of which will hold their second presidential and parliamentary elections in 1999-2001. Representatives from the United Nations Development Programme, the OSCE Parliamentary Assembly, the International Foundation for Electoral Systems and Electoral Reform International Services also participated. The discussions focused on electoral systems, structure of the election administration and its transparency. Other issues, such as the conduct of effective and cost-efficient elections; voter, candidate and party registration; elections and the

international community; and the role of the media were also discussed. In the course of their stay, the participants also met with the Stockholm City Electoral Authorities.

The attending election officials confirmed their commitments to the OSCE principles in the field of elections and welcomed a more active role of the ODIHR in the Central Asian region.

3. Human Dimension Activities in Central Asia

During his visit to Central Asia in April, the Chairman-in-Office of the OSCE, Polish Foreign Minister Bronislaw Geremek, emphasised that he considers the human dimension his main concern. The Chairman-in-Office stated that it was critical for all five Governments to implement their OSCE human dimension commitments regarding the development of rule of law and democratic practices, which constitute key elements of building security and stability in Central Asia. As the OSCE is uniquely placed to provide assistance to these countries in the human dimension field, Minister Geremek urged the ODIHR to continue the implementation of the Memorandum of Understanding with Uzbekistan as well as to conclude negotiations with Kazakhstan, Kyrgyzstan and Turkmenistan on similar agreements. In addition to the assistance provided to Uzbekistan, the ODIHR has undertaken the following action in Central Asia in the human dimension field:

Civil Society Assistance Programme in Kyrgyzstan

As in Uzbekistan, the ODIHR wishes to facilitate the establishment of mechanisms for an enhanced communication between Government structures and representatives of civil society in order to permit the NGO community to have a more immediate voice in the local political process. The format of the programme is similar to the one currently running in Uzbekistan, with informal one-day consultations where participants discuss a specific issue of concern to the national human rights situation

The first consultation was held in Bishkek in February 1998, with the participation of officials from a number of Government institutions and representatives from 14 local human rights organisations. The meeting produced a set of recommendations on measures for co-operation between Government institutions and NGOs, and was shared jointly by the Ministry of Foreign Affairs and the NGO Forum of Kyrgyzstan.

As a follow-up, a second consultation was held at the end of May on the issues of ethical journalism and libel. In addition to representatives from Government structures and local NGOs, international media experts based in Kyrgyzstan were invited to take part. The meeting concluded that there is a need to establish an association of journalists in Kyrgyzstan by the journalists themselves, in order to improve the standards of ethical journalism in the country. This proposal will be further developed in upcoming meetings between governmental agencies and representatives of the local mass media.

Preparations for Memoranda of Understanding with Kyrgyzstan, Turkmenistan and Kazakhstan

A needs assessment mission to Turkmenistan and Kyrgyzstan, led by Ambassador Sam Brown, Special Representative of OSCE/ODIHR, was undertaken in March 1998, to consider potential assistance for encouraging further progress in democratisation. The focus was on human dimension commitments in the areas of civil society, rule of law, and support to human rights institutions. The mission sought to identify potential areas for co-operation that could be incorporated into Memoranda of Understanding with the two countries.

Several project proposals have been drafted and are now under discussion with the respective governments. In this process, the ODIHR is co-ordinating closely with international organisations working on the ground, in order to avoid duplication and make better use of the distribution of human and financial resources. We hope these project development efforts will result in the signing of Memoranda of Understanding between the ODIHR and the Government of Kyrgyzstan and Turkmenistan in the autumn of 1998.

A needs assessment mission to Kazakhstan, with the same purpose of identifying areas in need of assistance, was conducted in the second half of June 1998. As a follow-up, the ODIHR aims at developing concrete project proposals with a view to include these into a MoU to be signed with the Government of Kazakhstan before the end of 1998.

In addition to country specific projects, which will include assistance to national human rights institutions and training programs on international human rights standards for the judiciary and law enforcement bodies, as well as human rights training for governmental agencies and NGOs, the ODIHR wishes to continue offering assistance of a more general nature in building civil society. Gender issues and gender mainstreaming, and the issue of free movement of citizens within and outside the state borders and their registration (*propiska*) are only some examples.

CAUCASUS

March of 1998 witnessed an extensive ODIHR focus on the three OSCE participating States in the Southern Caucasus. During this month, the ODIHR assisted and observed both rounds of the extraordinary presidential elections in Armenia (reported below in 'operations by the election section'). In Baku, a regional workshop on techniques to combat organised crime took place with broad participation. Furthermore, the ODIHR, together with other international organisations, conducted a two-week long mission to Azerbaijan, Georgia and Armenia in order to assess the needs for technical assistance to these three countries in the human dimension field.

1. Workshop on Techniques to Combating Organised Crime

The workshop on combating organised crime that took place in Baku in March featured a panel of international experts on organised crime from Germany, Italy, Hungary and the United States and technical assistance was provided by the UN Inter-regional Crime and Justice Research Institute. The Council of Europe also participated in the workshop. During the four day program, 120 representatives from national institutions of Azerbaijan, including the Police Academy, the Supreme Court, Ministries of Interior, National Security, Foreign Affairs and Justice, examined an array of crime prevention and control techniques currently applied in other OSCE participating States. In addition to officials from institutions in Azerbaijan, the workshop was attended by representatives from the Ministries of Interior Georgia, Moldova and Ukraine.

During the discussions, several participants noted the absence of a national law enforcement Focal Point to assist in the co-ordination of investigations involving multiple agencies. To assist in the development of such a Focal Point, the ODIHR has proposed technical advice regarding procedures and standards for exchanging information and conducting joint investigations, as well as to provide training for liaisons and those assigned to the Focal Point in international investigative practices and human rights.

2. Needs Assessment mission to the Caucasus

The ODIHR Director, Ambassador Gerard Stoudmann, visited Azerbaijan, Georgia and Armenia in March 1998 together with representatives of several other international organisations. The aim of the mission was to assess the need for assistance to the three countries in the human dimension field and to take stock of assistance programmes already provided by the international community in order to avoid duplication of efforts and to improve co-operation between the international organisations. The delegation consisted of representatives of the OSCE/ODIHR, the Council of Europe, the European Union Commission, the United Nations High Commissioner for Refugees and the Danish Refugee Council. In Georgia, the delegation also included representatives of the OSCE High Commissioner on National Minorities and the Constitutional and Legal Policy Institute of the Soros Foundations. In each of the three countries, the delegation met with top officials in the executive, legislative and judicial branches of power and had discussions with non-governmental organisations.

The authorities in Azerbaijan stressed their strong interest in receiving international assistance in the field of democratisation and human rights. As a follow-up to the assessment mission, the ODIHR will actively develop projects in areas such as citizenship and freedom of movement, elections and promotion of civil society. With most of the relevant legislation in place in Georgia, the ODIHR will be concentrating on developing public awareness projects. Activities will also be designed to support the UN/OSCE human rights office in Sukhumi and to encourage human contacts between Abkhazian and Georgian representatives of civil society. The ODIHR will also develop projects to assist the Public Defender (Ombudsman), to foster a dialogue between this institution and the civil society, as well as projects concentrating on registration of population, election assistance and possibly training of law enforcement personnel. In Armenia, the ODIHR will concentrate its efforts on assisting the authorities in following-up the recommendations

presented after previous elections, in addition to developing projects that seek to improve procedures for the registration of the population, to enhance public awareness on different aspects of human rights and to strengthen the civil society of Armenia.

All members of the delegation described this first attempt to conduct an assessment mission together as a success. It gave the different organisations the opportunity to discuss the scope of their action on the spot with both the relevant authorities and the other organisations involved and thus immediately being able to share tasks between them. A mission undertaken together also gave the message to countries in need of assistance that the international community has mutually reinforcing standards and common goals in the fields of human rights and democratisation.

3. Follow-Up to the Assessment Mission

Pursuant to the assessment mission, the ODIHR has been drafting project proposals focusing on institution building and democratisation to be included into Memoranda of Understanding with the three countries, to be signed later in the year. In developing these projects, the ODIHR seeks to avoid duplication by limiting their scope in view of activities of other international organisations. For example, as the three countries are all candidates for membership in the Council of Europe, Strasbourg provides assistance in drafting new laws, with the exception of legislation relating to elections, and in training for the judiciary.

The Memoranda will stress the need to enhance the public awareness about the human dimension, and local non-governmental organisations will be the main partners in implementing a number of public awareness projects, thus aiming at further developing the civil society and ensuring a multiplicative effect. Although the projects designed for Azerbaijan, Georgia and Armenia are mostly intended to be implemented in the course of 1999, a few assistance projects of a more immediate nature have already commenced:

Preliminary Review of the Draft Law on the Election of the President of the Republic of Azerbaijan

The ODIHR sent an Experts Mission to Vienna on 18-22 May, to review with a high-level Delegation from Azerbaijan the proposed Draft Law on the Election of the President of Azerbaijan. The ODIHR was supplied with a preliminary English translation, upon which it based its recommendations for clarification and necessary improvement of certain provisions of the Law. After open and forthcoming discussions, it was agreed that the ODIHR would receive a formal translation of the reviewed Election Law in English and in Russian before making its final assessment. The texts were received by the ODIHR on 16 June.

Technical Assistance to the Public Defender (Ombudsman) of Georgia

The ODIHR assessment of the work of the Georgian Ombudsman Office concluded that there is a clear need for short-term assistance in day to day management and organisation of the institution, and that such assistance would be most effective if provided during the first stages of development. As a result, an international consultant was sent to Tbilisi in June 1998 to provide the day-to-day assistance. In the autumn of 1998, it is planned to hold regular meetings between the Public Defender and local NGOs under the auspices of the OSCE Mission to Georgia, in order to ensure that local organisations specialising in human rights will be able to comment and advise on the work of the Georgian Ombudsman.

Civic Diplomacy Project

In order to increase human contacts and to foster a sustained dialogue between civic groups from conflict areas of Georgia and their counterparts in the rest of Georgia, the ODIHR is assisting the OSCE Mission to Georgia, on an ad hoc basis, in organising events, or alternatively support other initiatives, that bring together participants from different parts of Georgia. In the spring of 1998, the ODIHR supported two such initiatives.

The first was a meeting between Georgian and Abkhazian veterans of the civil war that took place in Sochi, the Russian Federation. The meeting focused on how to overcome the image of the enemy and was attended by a balanced delegation from both sides in terms of age, rank and experience. The second event was a meeting of the Rustavi Youth Forum, established to co-ordinate youth activities in the Caucasus. During the meeting, participants from all over the Caucasus sat together and drafted joint appeals for peace to the political leaders in the region. The ODIHR sponsored the four participants from South Ossetia to the meeting.

ODIHR PROJECTS AND OPERATIONS IN OTHER REGIONS

OPERATIONS BY THE ELECTION SECTION

In the first half of 1998, a number of major elections were observed by the ODIHR in different parts of the OSCE region. All observation reports are available from the OSCE/ODIHR upon request, or on the OSCE website. In addition to observing the preparations and the conduct of elections, the ODIHR is increasingly involved with providing technical assistance to the administration of elections, such as assisting with revision of election legislation and advising on how to improve the election procedures.

1. Observations

Armenia

The OSCE/ODIHR observed both rounds of the presidential elections, which took place in Armenia on 16 and 30 March 1998. The Head of the OSCE/ODIHR Election Observation Mission was Ambassador Sam Brown and the Technical Co-ordinator was Mr Christopher Shields. The Chairman-in-Office appointed Ms Tone Tingsgard of the OSCE Parliamentary Assembly as Special Co-ordinator for these elections. The OSCE/ODIHR began to monitor the pre-election administration and campaign on the 14 February 1998. In addition to the 10 long-term observers and core staff, over 200 international short-term observers were deployed throughout the country, including 12 short-term observers from the OSCE Parliamentary Assembly, visiting more than 800 polling stations on election day for the first round.

After the close of the polls, the counting of votes was also observed. Observer teams then followed the results through numerous Community Electoral Commissions and all 11 Regional Electoral Commissions. A preliminary statement was released, raising a number of concerns, concluding that “the elections fell short of the standards to which Armenia had committed itself in OSCE documents”. Several key areas were outlined which, the report suggested, required correction prior to the second round. Nearly 140 short-term observers were deployed for the 30 March second round, visiting more than 700 polling stations, as well as the counting and compilation of the results.

The Final Report following the second round states that, although this election represents a limited step forward from the 1996 elections, very serious concerns need to be addressed in order to bring Armenia in line with the OSCE standards to which it has committed itself. The OSCE/ODIHR extended its observation, with 3 long-term observers, in order to review materials related to these concerns. In the Final Report, the Election Observation Mission reported observed ballot stuffing, discrepancies in the vote count, a large presence of unauthorised persons in polling stations, and instances of intimidation directed towards voters, election commission members, candidate proxies and international observers. It is recommended that a thorough, impartial and vigorous investigation of the irregularities and evidence of manipulation cited in the report be undertaken urgently by the Armenian authorities.

Moldova

The OSCE/ODIHR observed the parliamentary elections that took place in Moldova on 22 March 1998. The Head of the OSCE/ODIHR Election Observation Mission was Mr Kåre Vollan. The Chairman-in-Office appointed Mr Markus Aatonen of the OSCE Parliamentary Assembly as Special Co-ordinator for these elections. The OSCE/ODIHR maintained a long-term presence of 14 persons in Moldova to observe the pre-election campaign throughout the country. On election day 22 March, the long-term observers, together with 150 short-term observers from 30 different countries, including 36 observers from the OSCE Parliamentary Assembly, visited more than 30 percent of the polling stations. The OSCE and the Council of Europe’s Parliamentary Assembly issued a joint preliminary statement on 23 March saying that:

“The election process was as a whole satisfactory. The candidates could compete under generally good conditions, and the voters could freely express their will on Election Day. A major exemption to this positive assessment was Transnistria, where - due to the lack of de facto control by the government of the Republic of Moldova - neither the candidates nor the voters had even close to adequate conditions for exercising their civil rights.” The statement went on to note that “no significant deficiencies were observed during the pre-election period or on election day. However, further improvements can be made, in particular with regard to the legal framework, the voters registers and the media campaign.”

Ukraine

The OSCE/ODIHR observed the parliamentary elections that took place in Ukraine on 29 March 1998. The Head of the OSCE/ODIHR Election Observation Mission was Mr Kåre Vollan. The Chairman-in-Office appointed Mr Andras Barsony of the OSCE Parliamentary Assembly as Special Co-ordinator for these elections. In Ukraine the OSCE/ODIHR Election Observation Mission deployed 8 long-term and 243 short-term observers, including 37 from the OSCE Parliamentary Assembly, visiting more than 1,200 polling stations on election day. The OSCE and the Council of Europe Parliamentary Assembly issued a joint preliminary statement on 30 March concluding that “the Ukrainian Elections were conducted under a generally adequate administrative framework.” However, it noted that “the campaign was marred by incidents of violence, arrests and actions against candidates and abuse of public office that represent a serious shortcoming in the conduct of the campaign, and raise questions about the neutrality of the state apparatus in the election.” It also stated that “further steps could have been taken to ensure the full participation of returned Tartars in the election, and a better possibility for them to be represented in the Crimean Parliament.” Criticism was also levelled against the late passage of laws and regulations, the role of the media and some procedural difficulties in polling stations.

After the elections, the ODIHR received complaints that elected deputies were being denied their seats, and sent a fact-finding mission to review the concerns regarding full implementation of the election results. The mission resulted in concrete ODIHR recommendation to the Ukrainian authorities on ways to improve the election complaint process, including recommendations on legislative reform and training for election officials and the judiciary in election dispute resolution.

Hungary

The OSCE/ODIHR observed the two rounds of the parliamentary elections that took place in Hungary on 10 and 24 May 1998. The Head of the OSCE/ODIHR Election Observation Mission was Mr Mark Power-Stevens. The Chairman-in-Office appointed Mr Dzsingisz Gabor, Head of the Dutch Delegation to the OSCE Parliamentary Assembly, as Special Co-ordinator for these elections. Based on the qualitative assessment of the 10 person long-term observation, as well as on the findings of short-term observers, the Hungarian authorities were congratulated on

conducting efficient and transparent elections in line with OSCE standards. 80 short term observers, including 22 members of the OSCE Parliamentary Assembly, were deployed for the first round, while 30 observed the second round, including two from the OSCE Parliamentary Assembly.

Montenegro/Federal Republic of Yugoslavia

The OSCE/ODIHR observed the parliamentary elections that took place in Montenegro/Federal Republic of Yugoslavia on 31 May 1998. The Head of the OSCE/ODIHR Election Observation Mission was Mr Kåre Vollan. The Chairman-in-Office appointed Mr Javier Ruperez, President of the OSCE Parliamentary Assembly, as his Representative to the Election Observation Mission. The Observation Mission had 17 core staff members and long-term observers. On election day, 117 short-term observers, including 29 from the OSCE Parliamentary Assembly, were deployed. The observers visited close to 700 polling stations, representing 65% of all the polling stations, on election day. The election was generally well conducted and represents a significant improvement over the previous elections held in Montenegro/Federal Republic of Yugoslavia. It was recognised that this election is a step forward towards meeting OSCE commitments. The ODIHR will keep its office open to follow-up on the recommendations made by the Election Observation Mission.

Czech Republic

Following an invitation from the Ministry of Foreign Affairs of the Czech Republic the OSCE/ODIHR is currently observing the 19 and 20 June 1998 parliamentary elections. An Election Observation Mission has now been established in Prague headed by Mr Mark Power-Stevens. The Chairman-in-Office has appointed Ms Tone Tinggard of the OSCE Parliamentary Assembly as his Special Co-ordinator. The conclusions of the Election Observation Mission will be reported in the following semi-annual Report.

Slovakia

The ODIHR undertook a Preliminary review of the Draft Amendments to the Law on "Elections to the Slovak National Council", and sent a Preliminary Fact Finding Mission headed by Ambassador Stoudmann to Bratislava on May 5-6, 1998. The purpose of the visit was to launch a dialogue and establish the basis for future co-operation, in relation to the Observation Mission of the upcoming parliamentary elections. The ODIHR Experts had a chance to express their concerns over some amendments to the Law, received certain clarifications and suggested necessary improvements. A follow-up letter on Amendments to Article 23 on the Media was sent jointly by Ambassador Stoudmann and the OSCE Representative on Freedom of the Media Mr Freimut Duve, which also reflected the view of the President of the OSCE Parliamentary Assembly. A Needs Assessment Mission will be undertaken shortly by the OSCE/ODIHR, to

assess the Reviewed Election Law, adopted on May 20, as well as the overall electoral framework and the status of preparation for the Parliamentary elections.

2. Technical Assistance

Montenegro/Federal Republic of Yugoslavia

Following a request from the President of the Parliament of Montenegro, the ODIHR provided the services of a Technical Assistance Team, consisting of three election experts and a media law expert, to assist the authorities in drafting new election legislation. The Team established good and constructive co-operation with the Montenegrin officials as well as with all parties involved in the process of preparing the legislation. On 2 February the Team presented to the Montenegrin lawmakers a comprehensive compilation of recommendations and advice, in particular on election systems, media regulations and voter registration issues. The three revised laws on Voter Registration, Public Information and the Election of Counsellors and Representatives were adopted during the parliamentary session of February 1998, including a number of recommendations made by the Technical Assistance Team.

Armenia

The ODIHR was asked by the Foreign Ministry of the Republic of Armenia to provide an expert review on two draft electoral codes, which had been elaborated by the Standing Committee for Legal Affairs and a group of deputies. With the assistance of its experts an analytical review of the codes was presented at the end of January 1998. This expert opinion will be used as a contribution to the forthcoming debate in the Armenian National Assembly, which will be preparing the adoption of the final version of the Election Code.

Albania

There is no adequate and verifiable civic/voter register in Albania. Thus paving the way towards the creation of a permanent, well maintained and regularly updated national register is currently a high priority of the ODIHR in Albania in view of future elections. A national civic/voter register is a public document that establishes a nation-wide list of all eligible voters. There is one record for every voter according to the maxim "one person, one vote". Taking into account local circumstances and adapting positive features of local tradition and experience, the OSCE/ODIHR is attempting to assist the authorities in the planning and preparation of a complete and transparent civic/voter registration exercise. The ODIHR is currently implementing a number of pilot projects in order to identify a suitable example to establish a computerised national civic/voter list.

ACTIVITIES BY THE ODIHR DEMOCRATISATION SECTION

As previously mentioned the main focus of the ODIHR democratisation section in the first half of this year was on the countries of Central Asia and the Caucasus. However, in line with its commitments, the ODIHR also maintained a number of other significant activities:

1. Projects

Albania

1. Ombudsman

The decades of authoritarian rule in Albania were accompanied by neglect of human rights and this legacy is one of the causes of the recent internal political turmoil. One of the issues the newly elected legislature of Albania will be facing is the creation and dissemination of national human rights standards that should reflect the country's international commitments. At the same time, the executive, judicial and administrative authorities will have to implement these newly created standards in their practice. In our view, a genuinely independent national human rights institution or ombudsman office would be the best guarantor for the application and dissemination of human rights standards in Albania. The ODIHR has provided an international expert to advise and assist the authorities in evaluating and discussing possibilities and mechanisms for the establishment of a genuinely independent national Human Rights/Ombudsman institution, while simultaneously provide comments and expertise on the relevant national legislation being drafted by the authorities.

2. Prison Service Training Programme

This assistance project is designed to inform correctional officers about international penal standards and ways to strengthen and reform the Albanian prison administration and its operational procedures. The ODIHR has contracted an expert from the United Kingdom HM Prison Service to design and implement correctional officer initiatives through a mixed methodology of local training exercises, third country apprenticeships, development of training materials and follow up courses.

The ODIHR expert has developed a comprehensive and targeted correctional officer training programme to improve prison management and security, as well as considering human rights concerns. The expert has made numerous on-site visits to Albanian prisons and has provided concrete recommendations on ways to improve the prison administration. In February this year, representatives from the Ministry of Justice and the Prison Service of Albania participated in a study visit to prisons in England and Wales. An official of the Albanian Prison Service will attend an 8 weeks training course that focuses on prison administration at HM Prison Training College in England later this year.

Ukraine

The ODIHR has designed a training programme for the Ukrainian Constitutional Court aiming at providing technical assistance to support administrative and management reforms, assessing the flow of information in the Court and its 'public relations'. Primary assistance in the implementation phase of this programme is provided by the Constitutional Court of Spain.

In this connection, judges from the Constitutional Court of Ukraine have studied the working methods of the Spanish Constitutional Court on a visit to Madrid. After completing an assessment of the management and administrative structure of the Ukrainian Constitutional Court, detailed proposals for further reforms will be submitted. Assistance will also be provided in locating funding necessary to implement the proposals.

Moldova

A multi-phased correctional officer training initiative has been undertaken by the Moldovan Ministry of Justice, the Police Association of Legal Education, the OSCE/ ODIHR, and the Polish and Norwegian Prison Administrations. The initiative assisted the Moldovan Ministry of Justice reform its prison system and improve the training of prison personnel. The programme included study visits of representatives from the Moldova Prison Service to the Polish Prison Service Training Center, as well as the preparation and distribution of a training manual for Moldovan Prison Officers.

2. Other Human Dimension Activities

Human Dimension Ombudsman Seminar

Following a decision by the OSCE Permanent Council, the 1998 Human Dimension Seminar focused on "Ombudsman and National Human Rights Protection Institutions". The Seminar was held in May, and almost 250 participants came to Warsaw to discuss ways to better develop such institutions aiming at promoting and protecting human rights. In an important innovation to improve multilateral co-ordination, the seminar was organised in close co-operation with the UNDP, the Polish Ombudsman's Office and the Council of Europe. The seminar was an event marking both the 50th anniversary of the Universal Declaration of Human Rights and the 10th anniversary of the Polish Ombudsman's Office. Prof. Bronislaw Geremek, Minister of Foreign Affairs of Poland and the OSCE Chairman in Office opened the Seminar and the Ombudsman of Poland, Dr. Adam Zielieski, delivered the keynote address.

Representatives from 43 OSCE Participating States and numerous international organisations and NGOs participated in the event, along with Ombudspersons from Austria, Belgium, Bosnia-

Herzegovina, Canada, Croatia, Denmark, Finland, Georgia, Germany, Hungary, Ireland, Italy, the Former Yugoslav Republic of Macedonia, Lithuania, Norway, Poland, Portugal, Romania, the Russian Federation, Slovenia, the Ukraine, the United Kingdom and Uzbekistan.

As a conclusion to the seminar, the participants presented concrete recommendations both to nations considering creating ombudsmen or human rights institutions, to the institutions themselves and to the international organisations that assist such institutions. The recommendation concentrated on creating a regional homepage to provide news and information about and for ombudsmen and human rights institutions, on establishing a co-ordinated working group to identify the scope of training opportunities that currently exist and determine whether new programmes should be developed, and to improve exchange mechanisms with media and NGOs.

Torture Prevention Panel

The first meeting of the OSCE ODIHR Expert Panel for the Prevention of Torture met in Warsaw on June 11-12. The Expert Panel is comprised of prominent personalities in the field of prevention of torture, all with experience from major international institutions. The meeting was opened by Ambassador Gerard Stoudmann, Director of the ODIHR and chaired by Mr. Peter Eicher, Deputy Director of the ODIHR.

The Expert Panel was established pursuant to recommendations from the 1997 Human Dimension Implementation Review Meeting to provide advice on how the ODIHR can best develop programs and activities to combat torture in OSCE participating States, so as to efficiently complement efforts made by the Council of Europe CPT and other institutions.

During the two-day meeting, the Expert Panel provided guidance to the ODIHR in developing new projects involving legislative reform, training, and strengthening the work of NGOs. The Expert Panel also advised the ODIHR on ways to integrate anti-torture activities into existing projects. The Expert Panel will also help the ODIHR in the development of a strategic plan to combat torture while avoiding duplication with other relevant institutions. The next meeting of the Expert Panel is scheduled for late October.

Monitoring

In the course of the on-going restructuring process, the ODIHR has strengthened its emphasis on monitoring. The ODIHR gathers information on implementation by participating States of their human dimension commitments to enable its Director to advise the Chairman-in-Office and other OSCE institutions, and to provide a framework for decision-making on ODIHR policies and projects. Thematic reports on important human dimension issues are under preparation as background materials for the next Human Dimension Implementation Meeting. In order to enable

the ODIHR to increase its focus on monitoring, the Government of Switzerland has seconded two temporary experts to concentrate on this task.

CONCLUSION: PRIORITIES FOR THE SECOND HALF OF 1998

It is planned, pending appropriate decisions by the Permanent Council, to hold a 10-day Human Dimension Implementation Meeting in Warsaw late October/early November. The ODIHR expects the meeting to be concluded by a plenary session with high level participation from OSCE States and international organisations. The meeting will prove an ideal opportunity for all participants to take stock of the human rights situation in the OSCE region and to identify areas of action by the international community in 1999. The ODIHR considers this an important tool in setting the human dimension agenda of the OSCE in the coming year, for example, by helping to identify topics for supplementary meetings to take place in Vienna in the forthcoming year. It will also provide a useful tool for the ODIHR to identify areas in need of further assistance.

As reported above, the ODIHR hopes to sign Memoranda of Understanding with Armenia, Azerbaijan, Georgia, Kyrgyzstan, Kazakhstan and Turkmenistan in the autumn of 1998. Each MOU will contain tailor made projects for every country in areas such as election assistance and development of civic society, ombudsman institutions and the rule of law, most of which will be implemented in 1999. These agreements will concretise an ODIHR and an OSCE intention to work with more intensity in these two regions. The ODIHR anticipates working in close co-operation with other international organisations on these projects, including the EU Commission, UN agencies and the Council of Europe among others.

Aiming at enhancing the awareness on gender issues, the ODIHR is anticipating the arrival of an officer specialising in this field on the basis of secondment. The officer will be responsible for developing a consistent approach to gender equality and for integrating gender issues into the various geographical activities of the ODIHR.

An experienced Roma candidate is soon expected to come to the ODIHR for a six-month internship. The selected candidate will be responsible for maintaining contacts pertaining to Roma and Sinti in the OSCE area, for drafting a report on relevant issues, and for establishing and maintaining an Internet page on Roma and Sinti issues.

Major election operations are still ahead with the important forthcoming elections in Bosnia-Herzegovina, Slovak Republic, the former Yugoslav Republic of Macedonia and Azerbaijan, as well as a constitutional referendum in Albania. As in the past, we look forward to a fruitful co-operation with participating States and other organisations involved in these operations, including the OSCE Parliamentary Assembly and the Council of Europe Parliamentary Assembly.